

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2621

IN THE MATTER OF:

Served October 26, 1984

Application of DSR INTERNATIONAL,)
INC., for Special Authorization to)
Conduct Charter Operations Pursuant)
to Contract -- USDA

Case No. CP-84-08

By application filed October 4, 1984, DSR International, Inc., seeks authority to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under contract with the United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), transporting APHIS employees and persons traveling on official business with APHIS, together with mail, express and baggage in the same vehicle, between 6505 Belcrest Road, Hyattsville, Md., the intersection of Toledo Road and Belcrest Road, Hyattsville, Md., the intersection of 12th Street and Independence Avenue, S.W., Washington, D.C., and points on that part of Independence Avenue, S.W., between South Capitol Street and 12th Street, S.W., Washington, D.C.

Order No. 2617, served October 9, 1984, generally described the evidence submitted with the application, and that order is incorporated by reference herein. The Commission required that applicant file an affidavit from APHIS's contracting officer in compliance with Commission Regulation No. 70-04 and proof that applicant is registered to do business in the District of Columbia as a foreign corporation. The Commission further required publication of notice and the filing of an affidavit of publication. Applicant complied with these requirements and no protests to the application were received by the Commission within the time set therefor. */

*/ The president of Beltway Limousine Service, Inc., submitted a letter which failed to rise to the level of a formal protest because it was not in conformance with the requirements of Commission Regulation No. 70-06. The merits of Beltway's letter go to APHIS's contracting process and not to applicant's fitness which is the focus of our examination under Commission Regulation No. 70. Beltway alleges that APHIS solicited transportation in 21-passenger vehicles. The contract was modified on or before September 25, 1984, to provide for transportation in 15-passenger vehicles with 24-hour back-up to be provided at no extra cost. Having ascertained that the proposed service and the contracted for service are identical, it is inappropriate for us to pursue this matter further.

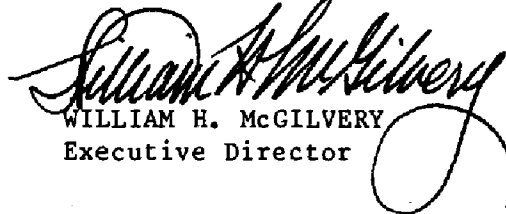
Commission Regulation No. 70 provides that an application of this type will be granted if it is determined that the applicant is fit, willing and able properly to perform the proposed service and to conform to the provisions of the Compact and the rules, regulations and orders of the Commission thereunder, and if it is determined that the proposed operations conform to the provisions of Regulation No. 70. The issue of whether the public convenience and necessity requires such service has been determined in Case No. MP-79-04. See Order No. 2004, served June 20, 1979.

Inasmuch as the contract is for a fixed term of at least 181 days and provides for the transportation of government employees pursuant to a contract with their employer, as well as persons on official government business, the Commission finds that this application conforms to the requirements of Commission Regulation No. 70. It is further found, based on the evidence of record as described in Order No. 2617 and the affidavits submitted pursuant to the directives of that Order, that applicant is fit, willing and able properly to provide the service described above and to conform to the requirements of the Compact and the rules, regulations and orders of the Commission thereunder. Accordingly, the application will be granted.

An appropriate certificate of insurance is on file with the Commission. DSR International, Inc., has certified that its vehicles have been identified with WMATC No. 115 in accordance with Commission Regulation No. 70-10. Applicant has submitted a list of vehicles with which service is to be performed, together with proof that those vehicles have been duly inspected. An appropriate authorization shall issue.

IT IS SO ORDERED.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director